

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Deldrick Devone Autry

Docket No. 5:04-CR-33-1BO

Petition for Action on Supervised Release

COMES NOW Eddie J. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Deldrick Devone Autry, who, upon an earlier plea of guilty to 18 U.S.C. §§ 922(g)(1) and 924, Felon in Possession of a Firearm, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on December 16, 2004, to the custody of the Bureau of Prisons for a term of 110 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Deldrick Devone Autry was released from custody on March 1, 2013, at which time the term of supervised release commenced. On March 5, 2013, a violation report was submitted to the court reporting that the defendant tested positive for marijuana on March 3, 2013. The defendant was verbally reprimanded and enrolled in substance abuse counseling and testing. The court agreed to continue supervision.

On May 15, 2013, a violation report was submitted to the court reporting that the defendant was charged with the offense of Driving While License Revoked (13CR711508) in Cumberland County, NC. The defendant was verbally reprimanded and instructed not to drive until properly licensed. The court agreed to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On January 11, 2014, the defendant was charged in Cumberland County, NC, with the offense of Driving While License Revoked (14CR700986). The defendant has again been verbally reprimanded and instructed not to drive until properly licensed. As a sanction for this conduct, we are recommending that conditions of supervised release be modified to include 24 hours of community service.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Eddie J. Smith
Eddie J. Smith
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: January 24, 2014

ORDER OF COURT

Considered and ordered this 27 day of January, 2014, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge